

IN THE COURT OF APPEALS OF THE STATE OF ALASKA

FRED ESGUERRA
Petitioner,

v.

STATE OF ALASKA,
Respondent.

Court of Appeals No. A-13819

Trial Case No. 3AN-19-04854CR

Alaska Public Defender Agency
Melissa H. Goldstein • melissa.goldstein@alaska.gov
900 West Fifth Avenue, Suite 101 • Anchorage, AK 99501
Phone: (907) 334-2179 • Fax: (907) 269-5476
Service: pdaanccrim@alaska.gov

NOTICE OF WITHDRAWAL OF MOTION TO WITHDRAW AND FILING OF PETITION FOR REVIEW

VRA AND APP. R. 513.5 CERTIFICATION

I certify that this document and its attachments do not contain (1) the name of a victim of a sexual offense listed in AS 12.61.140 or (2) a residence or business address or telephone number of a victim of or witness to any offense unless it is an address used to identify the place of the crime or it is an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court. I further certify, pursuant to App. R. 513.5, that the font used in this document is Arial 12.5 point.

In May, the Alaska Public Defender Agency filed a motion to withdraw from this petition for review due to a positional conflict of interest precluding its continued representation of Mr. Esguerra. After motion practice, this court issued an order directing the agency to file a supplemental affidavit providing additional information about its conflict of interest so that the court could rule on its motion to withdraw.

While the motion was pending, however, the positional conflict resolved itself; this occurred recently through actions in the case that created the positional conflict with Esguerra's case. For that reason, the agency notifies this court that it is withdrawing its motion to withdraw and is filing its substantive petition for review.

ALASKA PUBLIC DEFENDER AGENCY

DATE 8/16/21

Melissa Goldstein
MELISSA H. GOLDSTEIN (1801006)
ASSISTANT PUBLIC DEFENDER

I certify that on August 16, 2021 a copy of this document and its attachments was emailed to:
Kenneth Rosenstein (OCA)

By: SB